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United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>LIPOSOMAL FORMULATIONS</u>.

The specification of which was filed on November 26, 2003 as application serial no. 10/723,423.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

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No such claim for priority is being made at this time.

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Application Number 60/429,122

Filing Date

November 26, 2002

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Full Name of joint inventor number 1:

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael Arora, Suneel Beekman, Marvin L. Bianchi, Timothy E. Billion, Richard E. Black, David W. Brennan, Thomas F. Chadwick, Robin A. Clark, Barbara J. Clise, Timothy B. Cochran, David R. Dahl, John M. DeLizio, Andrew Drake, Eduardo B.	Reg. No. 24,916 Reg. No. 42,267 Reg. No. 38,377 Reg. No. 39,610 Reg. No. 32,836 Reg. No. 42,331 Reg. No. 35,075 Reg. No. 36,477 Reg. No. 38,107 Reg. No. 40,957 Reg. No. 44,632 Reg. No. 44,639 Reg. No. 52,806 Reg. No. 40,594	Greaves, John N. Harris, Robert J. Jackson Huebsch, Katharine A. Jurkovich, Patti J. Kalis, Janal M. Klima-Silberg, Catherine I. Kluth, Daniel J. Lacy, Rodney L. Lundberg, Steven W. Maki, Peter C. Malen, Peter L. Mates, Robert E. McCrackin, Ann M. Mehrle, Joseph P.	Reg. No. 40,362 Reg. No. 37,346 Reg. No. 47,670 Reg. No. 44,813 Reg. No. 37,650 Reg. No. 40,052 Reg. No. 32,146 Reg. No. 41,136 Reg. No. 41,136 Reg. No. 42,832 Reg. No. 42,832 Reg. No. 44,894 Reg. No. 42,858 Reg. No. 42,858 Reg. No. 45,535	Nielsen, Walter W. Padys, Danny J. Parker, J. K. Peacock, Gregg A. Perdok, Monique M. Peret, Andrew R. Peterson, David C. Price, Lucinda G. Prout, William F. Schumm, Sherry W. Schwegman, Micheal L. Speier, Gary J. Steffey, Charles E. Tong, Viet V.	Reg. No. 25,539 Reg. No. 35,635 Reg. No. 33,024 Reg. No. 45,001 Reg. No. 42,989 Reg. No. 41,246 Reg. No. 47,857 Reg. No. 42,270 Reg. No. 33,995 Reg. No. 39,422 Reg. No. 25,816 Reg. No. 25,816 Reg. No. 25,179 Reg. No. 45,458 Reg. No. 45,458 Reg. No. 45,416
Embretson, Janet E. Forrest, Bradley A.	Reg. No. 40,594 Reg. No. 39,665 Reg. No. 30,837	Mehrle, Joseph P. Muller, Mark V. Nelson, A. James	Reg. No. 45,535 Reg. No. 37,509 Reg. No. 28,650	Tong, Viet V. Woessner, Warren D.	Reg. No. 45,416 Reg. No. 30,440

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P.O. Box 2938, Minneapolis, MN 55402 Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Post Office Address:	United States of America 1020 Lockhaven St. Brea, CA 92821	Residence: Brea, CA	
Signature:	ly	Date: 4/7/04	<u>.</u>
	Gerard M. Jensen		

Gerard M. Jensen

 \underline{X} Additional inventors are being named on separately numbered sheets, attached hereto.

Full Name of joint inventor Citizenship: Post Office Address:	number 2: <u>Ning Hu</u> China 8539 E. Fairview Ave. San Gabriel, CA 91775	Residence: San Gabriel, CA	
Signature:		Date:	·
	ang au	·	
•	•		
			-
Full Name of joint inventor	number 3: Su-Ming Chiang	•	.:
Citizenship: Post Office Address:	United States of America 2209 Napa St. West Hills, CA 91304	Residence: West Hills, CA	
Signatura		D. (
Signature.	u-Ming Chiang	Date:	<u></u>
;			•
Full Name of joint inventor Citizenship: Post Office Address:	number 4: <u>Craig Skenes</u> United States of America 15939 Lawnhill Dr. La Mirada, CA 90638	Residence: La Mirada, CA	
Signature:			
Organitare.	raig Skenes	Date:	
Pull Many City Control			
Citizenship: Post Office Address:	number 5: Richard Fahrner United States of America 14425 Silverbrook Dr. Tustin, CA 92780	Residence: Tustin, CA	
Signature:		Dates	
R	ichard Fahrner	Date:	
•			

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 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



United States Patent Application

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Signature:		Date:	
Gerai	d M. Jensen		
			

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Attorney Docket No.: 1992.005 Serial No. 10/723,423 Filing Date: November 26, 2003			P
Full Name of joint invent Citizenship: Post Office Address:		ica Residence: San Gabriel, CA	
Signature:	My Ming Ha	Date: 4-7-04	
Full Name of joint inventor Citizenship: Post Office Address:	or number 3: Su-Ming Chiang United States of America 2209 Napa St. West Hills, CA 91304	Residence: West Hills, CA	
Signature:	Su-Ming Chiang	Date:	
	Su-Ming Chiang		
Full Name of joint inventor Citizenship: Post Office Address:	or number 4: <u>Craig Skenes</u> United States of America 15939 Lawnhill Dr. La Mirada, CA 90638	Residence: La Mirada, CA	
Signature:	Craig Skenes	Date:	
	Craig Skenes		
Full Name of joint inventor Citizenship: Post Office Address:	or number 5: Richard Fahrner United States of America 14425 Silverbrook Dr. Tustin, CA 92780	Residence: Tustin, CA	
Signature:	Richard Fahrner	Date:	
	Addition and the state of the s		

Attorney Docket No.: 1992.005US1 Serial No. 10/723,423

Filing Date: November 26, 2003

§ 1.56 Duty to disclose information material to patentability.

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United States Patent Application

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Full Name of joint inver	ntor number 1: Gerard M. Jensen		
Citizenship:	United States of America	Residence: Brea, CA	
Post Office Address:	1020 Lockhaven St.	•	
•	Brea, CA 92821		•
		. •	•
Signature:		Date:	
	Gerard M. Jensen		
·			
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		· · · · · · · · · · · · · · · · · · ·	

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Full Name of joint inventor nu Citizenship: Post Office Address:	mber 2 : <u>Ning Hu</u> China 8539 E. Fairview Ave. San Gabriel, CA 91775	Residence: San Gabriel, CA
Signature: Nin	*	Date:
Nin	ig Hu	
	· .	
Full Name of joint inventor nu Citizenship: Post Office Address:	mber 3: <u>Su-Ming Chiang</u> United States of America 2209 Napa St. West Hills, CA 91304	Residence: West Hills, CA
Signature:	Ming Chiang	Date: Apr. 08, 2004
:		
Full Name of joint inventor nur	mber 4: <u>Craig Skenes</u>	
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 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



United States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **LIPOSOMAL FORMULATIONS**.

The specification of which was filed on November 26, 2003 as application serial no. 10/723,423.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number 60/429,122

Filing Date
November 26, 2002

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael Arora, Suneel Beekman, Marvin L. Bianchi, Timothy E. Billion, Richard E. Black, David W. Brennan, Thomas F. Chadwick, Robin A. Clark, Barbara J. Clise, Timothy B. Cochran, David R. Dahl, John M. DeLizio, Andrew Drake, Eduardo E. Embretson, Janet E. Forrest, Bradley A.	Reg. No. 24,916 Reg. No. 42,267 Reg. No. 38,377 Reg. No. 39,610 Reg. No. 32,836 Reg. No. 42,331 Reg. No. 35,075 Reg. No. 36,477 Reg. No. 38,107 Reg. No. 40,957 Reg. No. 40,632 Reg. No. 44,639 Reg. No. 52,806 Reg. No. 40,594 Reg. No. 39,665 Reg. No. 39,665 Reg. No. 30,837	Greaves, John N. Harris, Robert J. Jackson Huebsch, Katharine A. Jurkovich, Patti J. Kalis, Janal M. Klima-Silberg, Catherine I. Kluth, Daniel J. Lacy, Rodney L. Lundberg, Steven W. Maki, Peter C. Malen, Peter L. Mates, Robert E. McCrackin, Ann M. Mehrle, Joseph P. Muller, Mark V. Nelson, A. James	Reg. No. 40,362 Reg. No. 37,346 Reg. No. 47,670 Reg. No. 44,813 Reg. No. 37,650 Reg. No. 40,052 Reg. No. 32,146 Reg. No. 41,136 Reg. No. 42,832 Reg. No. 44,894 Reg. No. 35,271 Reg. No. 42,858 Reg. No. 45,535 Reg. No. 37,509 Reg. No. 28,650	Nielsen, Walter W. Padys, Danny J. Parker, J. K. Peacock, Gregg A. Perdok, Monique M. Peret, Andrew R. Peterson, David C. Price, Lucinda G. Prout, William F. Schumm, Sherry W. Schwegman, Micheal L. Speier, Gary J. Steffey, Charles E. Tong, Viet V. Woessner, Warren D.	Reg. No. 25,539 Reg. No. 35,635 Reg. No. 33,024 Reg. No. 45,001 Reg. No. 42,989 Reg. No. 41,246 Reg. No. 47,857 Reg. No. 42,270 Reg. No. 33,995 Reg. No. 39,422 Reg. No. 25,816 Reg. No. 25,179 Reg. No. 25,179 Reg. No. 30,440
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I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary. Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Telephone No. (612)373-6900

Citizenship: Post Office Address:	ber 1: <u>Gerard M. Jensen</u> United States of America 1020 Lockhaven St. Brea, CA 92821	Residence: Brea, CA	
Signature:	d M. Jensen	Date:	

X Additional inventors are being named on separately numbered sheets, attached hereto.

Full Name of joint inventional Citizenship: Post Office Address:	tor number 2 : <u>Ning Hu</u> China 8539 E. Fairview Ave. San Gabriel, CA 91775	Residence: San Gabriel, CA	
Signature:		Date:	
-	Ning Hu		· · · · · · · · · · · · · · · · · · ·
•			
Full Name of joint invent	tor number 3: <u>Su-Ming Chiang</u>	•	
Citizenship: Post Office Address:	United States of America 2209 Napa St.	Residence: West Hills, CA	·
,	West Hills, CA 91304		
Signature	•	Detail	•
Signature:	Su-Ming Chiang	Date:	······································
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P. 1137			
Pull Name of joint invent Citizenship: Post Office Address:	or number 4: <u>Craig Skenes</u> United States of America 15939 Lawnhill Dr. La Mirada, CA 90638	Residence: La Mirada, CA	
Signature:	Craig Skenes	Date: 4 8 04	· · · · · · · · · · · · · · · · · · ·
Full Name of joint invente	or number 5: Richard Fahrner		
Citizenship: Post Office Address:	United States of America 14425 Silverbrook Dr. Tustin, CA 92780	Residence: Tustin, CA	
Signature:	·	Deter	
	Richard Fahrner	Date:	

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
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Full Name of joint inventor number 1:

Citizenship:

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary. Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

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Residence: Brea. CA

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Post Office Address:	1020 Lockhaven St. Brea, CA 92821		
Signature:		Date:	
	Gerard M. Jensen		

Gerard M. Jensen

United States of America

 \underline{X} Additional inventors are being named on separately numbered sheets, attached hereto.

Full Name of joint inver Citizenship: Post Office Address:	ntor number 2 : <u>Ning Hu</u> China 8539 E. Fairview Ave. San Gabriel, CA 91775	Residence: San Gabriel, CA	
Signature:		Date:	
	Ning Hu		
	·		
			•
TABLE NAME OF A COLUMN ASSESSMENT			
Full Name of joint inven Citizenship: Post Office Address:	tor number 3: Su-Ming Chiang United States of America 2209 Napa St. West Hills, CA 91304	Residence: West Hills, CA	·
Signature:		Date:	
•	Su-Ming Chiang		· ·
	<u> </u>		
i			
Full Name of joint inven	for number 4: <u>Craig Skenes</u>		
Citizenship: Post Office Address:	United States of America 15939 Lawnhill Dr. La Mirada, CA 90638	Residence: La Mirada, CA	
Signature:		Date:	
	Craig Skenes		
Citizenship:	or number 5: Richard Fahrner United States of America	Residence: Tustin, CA	·
Post Office Address: Signature:	14425 Silverbrook Dr. Tustin, CA 92780 Richard Fahrner	Date: 4/14/04	· .
·			

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